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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



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I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner of Patents and Trademarks, Washington, D.C. 20231

HENRY A. MARZULLO JR.

Dated:

Applicant hereby petitions that any and all extensions of the term necessary to render this response timely be granted. Costs for such extension(s) and or any other fee due with this paper, not fully covered by an enclosed check may be charged to Deposit Account #10-0100.

Inventor: Duarte Cano Carlos ANTONIO, et al

Serial No.: 09/612,925

Filing Date: 7/10/00

Group: 1641

Examiner:

Title: Expression System of Heterologous Antigens as Fusion Proteins

Docket No.: P-13 DIV (II)

Hon. Director of Patents and Trademarks  
Washington, D.C. 20231  
Attention: C. Horne, Customer Service Center

LETTER

Sir:

This paper replies to the "Missing Parts" notice dated September 11, 2000 and applicants advise the Patent Office that the "Oath or Declaration" was not missing from the filing of the above-identified patent application.

This was confirmed to the undersigned attorney on November 1, 2000 during a telephone conference call I had with Mr. Vernon Towler of the U.S.

Patent Office (703-308-1202). Mr. Towler checked the PTO's "Microfilm Records" of what was filed and confirmed that the application as filed, did indeed contain a copy of the Declaration (which was part of the original parent U.S. Patent).

Thus, the Declaration is not missing from the PTO's file records and therefore, no \$130 surcharge fee is due.

Kindly thus withdraw your "Formalities Letter dated 09/11/2000".

Respectfully submitted,

**LACKENBACH SIEGEL**

BY: \_\_\_\_\_

HENRY A. MARZULLO, JR.  
Reg. No. 20,910

Dated: 11/6/00  
Once Chase Road  
Scarsdale, New York 10583  
914-723-4300

P-13Div(II)\amend

ENCLOSED IS  
COPY OF YOUR  
9-11-00 letter (Part 2)

*[Signature]*  
11-6-00



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/612,925	07/10/2000	Carlos Antonio Durate Cano et al.	P-13 Div II

Henry A Marzullo Jr  
Lackebach Siegel  
One Chase Road  
Scarsdale, NY 10583

# FORMALITIES LETTER



\*OC000000005387986\*

Date Mailed: 09/11/2000

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

### *Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 130.

*A copy of this notice **MUST** be returned with the reply.*

*Colonne*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE